

# BY-LAWS

OF THE

## MASSACHUSETTS MEDICAL SOCIETY.

REVISED OCTOBER, 1856.

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### MEMBERSHIP.

I. ANY person having been graduated as Doctor of Medicine at Harvard University, or at the Berkshire Medical Institution, may become a Fellow of the Society, by signing the By-laws in the custody of the Recording Secretary, or of the Secretary of any one of the District Societies. Any one who has been graduated as Doctor of Medicine at any other University, College, or Medical School, at which the course of study is fully equal to that prescribed by this Society, shall be admitted a Fellow, on furnishing satisfactory evidence \* thereof to any Board of Censors, and signing the By-laws. Any person who has not been graduated as Doctor of Medicine may

\* By the vote of the Councillors, May 30, 1850, "the Censors should satisfy themselves, by *examining* such applicants, that they have pursued a course of study fully equal to that prescribed by this Society, and complied with all its requirements in relation to admission; and, without such examination, they should not be admitted to Fellowship."

sign the By-laws, and be admitted a Fellow, if he possess the following qualifications; viz.:—

He shall be a person of sound mind, and of good moral character; shall be not less than twenty-one years of age; shall have such an acquaintance with the Latin language as is necessary for a good medical and surgical education; and shall have acquired the principles of geometry and experimental philosophy.\* He shall have studied three full years under the direction, and shall have attended the practice, of some respectable physician or physicians. He shall have attended two full courses of lectures on anatomy, physiology, chemistry, materia medica, midwifery, and the theory and practice of medicine and surgery; and shall have passed a satisfactory examination before a Board of Censors.

II. Candidates shall be examined, at any stated meeting of Censors, in each and all the branches mentioned in Article I. of the By-laws. If the examination be satisfactory to the major part of the Censors present, the candidate shall be admitted a Fellow; but, if unsatisfactory, he shall not be re-examined by any Board of Censors in less than six months. (See ART. XXX., XXXI.)

\* It is understood that he be able to translate the select Orations of Cicero, the *Æneid* of Virgil, or the medical writings of Celsus, and the formulæ of the Pharmacopœia of the United States; and that he have a knowledge of Euclid's, Pierce's, or Loomis's Elements of Geometry; also of Golding Bird's or Olmstead's Natural Philosophy, or the Cambridge Course of Physics.

If the candidate be a graduate of any college, the examination in these branches may be dispensed with.

III. Candidates for election as Honorary Members of the Society shall be nominated to the Councillors, at a stated meeting, by one or more of the Fellows, and shall remain on nomination until the next stated meeting. The Councillors shall, at every stated meeting, examine and act upon the list of nominations, if any such there be. (See ART. XIX.)

IV. Every Fellow shall be entitled to a Diploma, on the payment of one dollar.\*

V. Fellows who have arrived at the age of sixty years, have paid all their assessments, or have been excused from them, and have notified the Treasurer of the Society of the same in writing, may become retired members. They shall be entitled to all the privileges of the Fellows, and shall conform to all the requirements of the Society, and be subject to all its penalties, except that they shall not be liable

\* Form of Diploma:—

*Societas Medica Massachusettensis*

Omnibus ad quos hæc pervenerint

salutem.

Quum Reipublicæ Massachusettensis summa auctoritas Societati Medicæ Massachusettensi jus et privilegium concessit, ut medicinæ cultores, qui artem suam fideliter ediscendo, vel recte exercitando, famam honestam consecuti sunt, eligerent et sibi Socios adjungerent: Notum esto, quod his propositis exsequendis, Consiliarii Societatis Medicæ Massachusettensis Socium acceperunt

in oppido

comitatu

habitantem, virum vitæ

integerrimum, artisque medendi peritissimum, qui suis et auxilio et decori semper fuit; et quem omnibus honoribus et privilegiis Societatis dignissimum judicaverunt.

Quorum in testimonium, sigillum Societatis affigendum dedi, nomenque meum apposui, Bostoniæ, die

annoque salutis humanæ, millesimo octingentesimo et

PRÆSES.

Attestante,

à Secretis.

This diploma may be used for Fellows, or Honorary Members if they are physicians. If the candidate be a resident of another State, the word *comitatu* may be readily altered to *civitate*.



to assessments, and shall not be bound to accept any office in the Society.

VI. No Fellow shall withdraw from the Society, or resign his Fellowship, while residing within the Commonwealth, without the permission of the Councillors, who may, for the following reasons, give this permission, to any Fellow who applies in writing ; viz. : —

When the applicant has altogether discontinued practice as physician or surgeon ; —

When the applicant states that his health has been such as to prevent his engaging in his professional pursuits for a year or more, and that he has not a reasonable prospect of being able to resume them.

VII. Any person who has resigned may, on application in writing, be restored to his Fellowship by a vote of the Councillors at any stated meeting.

Any Fellow removing out of the State shall have liberty to retain his Fellowship, on paying the annual assessment.

VIII. Any Fellow may be punished by censure or expulsion, or, having resigned his Fellowship, may be deprived of his privileges, in the manner hereinafter specified (xxxiii.), upon charges of the following description, made to the President of the Society in writing, and signed by three or more Fellows ; viz. : —

1. For any gross and notorious immorality, and for any crime of which he may have been convicted.

2. For any attempt to disorganize or to destroy the Society.

3. For the breach of any By-law of the Society, for which censure, expulsion, or deprivation of privileges, is made the penalty.

4. For furnishing to any person, or presenting in his own behalf, a false certificate of character or studies as a student of medicine, tending to deceive the public, or the Censors of the Society.

5. For any conduct unbecoming and unworthy an honorable physician and member of this Society.

IX. Any person engaged in the practice of medicine or surgery in this Commonwealth, who has not received such a medical education as is required by By-law I., and any one who shall be guilty of practices forbidden to Fellows, shall be deemed an irregular practitioner; and it shall be disreputable for any Fellow to advise or consult with any such irregular practitioner, or in any way to abet or assist him as a practitioner of medicine or surgery.

X. Any person who shall publicly advertise for sale, or otherwise offer to the public, any medicine, the composition of which he keeps a secret, or offer to cure any disease by any such secret medicine, shall be considered an irregular practitioner; and, if a Fellow of this Society, shall be liable to expulsion, or to such other penalty as the Commissioners on Trials may think proper to inflict. (xxxiii.)

XI. Every Fellow of the Society shall be assessed three dollars annually.

## COUNCILLORS.

XII. Councillors shall be chosen by the District Societies, at least one week before the annual meeting of the Society; each District Society choosing, from among the Fellows residing in that District, in the proportion of one Councillor to every eight Fellows, as nearly as may be.

XIII. There shall be three stated meetings of the Councillors annually, — the first, which shall be the annual meeting, on the day preceding the annual meeting of the Society, and in the same city or town where the meeting of the Society is to be held; — the second, on the first Wednesday in October; and the third, on the first Wednesday of February, at such hour and place, in the city of Boston, as the President shall direct. (Rules 2, 6-8.)

The President shall call a special meeting of the Councillors whenever he may deem it expedient, or whenever five Councillors may request it in writing.

Nine Councillors shall be requisite to form a quorum for the transaction of business; but a smaller number may adjourn the meeting.

XIV. At their annual meeting, the Councillors shall choose, by ballot, the following officers of the Society; viz., a President, Vice-President, Corresponding Secretary, Recording Secretary, Treasurer, and



Librarian; — the officers so chosen, as also the Councillors, Censors, and Commissioners on Trials, chosen by the District Societies, to hold their respective offices until others are chosen in their stead. (xxiv.) They shall also designate, by vote, in what city or town within the Commonwealth the Anniversary of the Society, for the next calendar year, shall be held; and shall choose, from among the Fellows of the Society (xv.), an Anniversary Chairman, whose duty it shall be to act as Chairman of the Committee of Arrangements for the anniversary, and to preside at the annual dinner for said year. (Rules 13, 14.) In case of the non-acceptance, death, or absence of the Anniversary Chairman, it shall be the duty of the President of the Society, with the Committee of Arrangements for the anniversary, to appoint a substitute.

They shall also appoint a Fellow to deliver a discourse on some subject connected with medical science, at the Anniversary meeting of the Society on the next year; but, in case the person thus appointed shall decline the service, the President, with five Councillors, may appoint another. A copy of every such discourse shall be deposited with the Recording Secretary within three months after it has been delivered. (Rules, 12.)

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XV. A meeting of the Fellows of this Society shall be held on the last Wednesday in May annually, at 10 o'clock, A.M., in such one of the principal towns or cities of the Commonwealth as the Councillors shall,

from year to year, determine. But the Councillors shall have power to fix some other Wednesday, in the month of May or June, for this meeting, in case the place assigned shall render such a change desirable. Ten members shall constitute a quorum.

XVI. Any Fellow of the Society, or Councillor, absent from any meeting at which he is entitled to vote, may, in all cases, vote by his proxy, duly authorized in writing; provided that no Fellow shall be represented by any other than a Fellow, and no Councillor by any other than a Councillor, who shall, in either case, be an inhabitant of the same District; and no Fellow or Councillor shall at any time represent the votes of more than eight others.

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#### DUTIES OF OFFICERS.

XVII. The PRESIDENT shall call all meetings of the Society and of the Councillors, and shall preside at the same. In case of the absence or other disability of the President, his duties shall devolve on the Vice-President, and, in the absence of both the President and Vice-President, on the senior President of a District Society present, or on such Chairman as the Society or Councillors may appoint; and the presiding officer shall perform such other duties as shall be assigned to him. (See ART. VIII., XIV., XXII., XXXIII., Rules 12, 14, 6-8.)



XVIII. The CORRESPONDING SECRETARY shall have the charge and custody of all letters and communications transmitted to the Society or to the Councillors; and to him they should be addressed. He shall prepare and transmit whatever communications the Society or the Councillors may direct. He may cause letters or communications, written in any foreign language, to be translated into English. He shall perform such other duties as may be assigned to him.

XIX. The RECORDING SECRETARY shall keep the seal of the Society; and he shall have charge and custody of the Records of the Society and of the Councillors, and of all papers directed by them to be kept on his files. He shall give notice of, and attend, the meetings of the Society and of the Councillors; keep a fair record of their proceedings respectively, and of the Commissioners of Trials; and read, at the meetings of the Society, all such communications as the Councillors may direct. He shall receive and record the nominations of candidates for Honorary Membership, and lay them before the Councillors at each stated meeting. (III.) One week at least before the annual meeting, he shall transmit to the Treasurer of the Society a correct list of all who have become Fellows during the year, and shall read the same at the annual meeting of the Councillors and of the Society. He shall notify the Chairman of every Committee appointed by the Society or Councillors, in each case stating the commission and the names

of the Committee ; and he shall perform such other duties as may be assigned to him. (See ART. XIV., XX., XXI., XXVIII., XXXII., XXXIII., Rules 1, 15, 1, 5.)

XX. If, at any meeting of the Society or of the Councillors, one of the Secretaries be absent, and the other present, the latter shall perform the services of both, so far as may be ; but, as soon as possible, he shall arrange, and deliver over to the absent Secretary, the papers belonging to his department, with a copy of records or orders, as the case may be.

XXI. The Records of the Society and of the Councillors shall be produced at every anniversary meeting of the Society, and placed by the Secretary in some convenient place for the inspection of such of the Fellows as are desirous of consulting them ; and, at all other times, it shall be the duty of the Secretaries to grant every reasonable indulgence to any Fellow of the Society who may wish to examine the records.

XXII. The TREASURER shall give security for the trust reposed in him, whenever the Councillors shall judge it to be requisite, and the funds of the Society will admit of a compensation for his services. He shall demand and receive all money due to the Society, together with all bequests and donations. He shall, if necessary, sue for all fines and assessments due to the Society. He shall, under the direction of the Councillors, sell or lease any estate belonging to the Society, and execute the necessary papers. He

shall, in general, have the care and management of the fiscal concerns of the Society, and keep an accurate statement of all receipts and expenditures. He shall pay no money out of the treasury, without a written order from the President. He shall subject his accounts to such examination as the Councillors may order. He shall annually render to the Society an account of his doings, and of the state of the funds in his hands. He shall, on or before the 1st of January, annually, pay over to the several District Treasurers such portion of the assessments received from members of their respective Districts, as the Councillors shall from time to time determine; and shall furnish a list of all assessments remaining due from the members of the Societies respectively, with authority to collect the same, and shall charge the same to them. And he shall perform such other duties as may be assigned to him. (See ART. v., xix., xxix., xxxiii., Rules, 7, 9.)

XXIII. The LIBRARIAN shall have in his custody and charge the books, museum, instruments, and apparatus of the Society. He shall keep an accurate register of the same, and arrange them in a proper manner; and shall make such disposal of them, from time to time, as the Councillors may direct for the benefit of the Fellows. He shall make an annual statement of the business of his department to a Committee, who shall report the same to the Councillors; and he shall carefully record all donations made in his department to the Society. He shall distribute



the publications of the Society in such manner as the Councillors may direct; and he shall perform such other duties as may be assigned him. (See Rules, 4.)

XXIV. Any officer of the Society may, for sufficient reasons, resign his office, or may be removed therefrom, by order of the Councillors, for neglect or misconduct; in either of which cases, or on the death of any officer, the Councillors shall supply the office vacated, as soon as may be convenient.

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#### DISTRICT SOCIETIES.

XXV. The Commonwealth shall be divided by the Councillors into Medical Districts, which may be from time to time subdivided or altered as circumstances may require. A District Medical Society shall be formed in each Medical District.

XXVI. Every District Society shall annually elect a President, who shall be, *ex officio*, a Vice-President of the Society (xvii.); a Secretary; Treasurer; Librarian; a Commissioner on Trials (xxxiii., s.); Councillors (xii.); not less than three nor more than five Censors, for the examination and admission of Fellows in that District (xxx.); and such other officers as such Society may see fit.

XXVII. District Societies may make their own regulations, provided they are not incompatible with the By-laws of the General Society.

XXVIII. The Secretary of each District Society shall, ten days before the annual meeting of the Councillors, furnish the Recording Secretary of the Society with the names of all those, not already reported, who have become Fellows in his District.

XXIX. The Treasurer of each District Society shall collect the assessments within his District as soon as may be. He shall, on or before the annual meeting of the Councillors, make a full return, to the Treasurer of the Society, of all the assessments charged on his list, with the condition of each, whether paid or unpaid; and transmit the amount collected, after deducting such reasonable expenses as he may have incurred and five per cent for services; and such return and remittance shall be a full release from the demand created by the charge required in By-law xxii. He shall also report the deaths and removals which have occurred in the District, and any circumstances respecting the pecuniary abilities of the members which it may be important for the Treasurer to know. In case any District Treasurer shall neglect to make his return as herein provided, he shall be liable to be proceeded against, according to law, for the whole amount of assessments charged to him on his list, provided the same do not exceed the sum which this Society is authorized by the charter to impose as a penalty for a breach of its By-laws; and, should it exceed that sum, he may be proceeded against for that sum, in addition to the amount actually received by him.

## THE CENSORS.

XXX. The Censors for the Suffolk District Society shall officiate for that District, and for the Society at large ; and shall meet, for the admission of Fellows, in Boston, on the Thursday next preceding the annual meeting of the Society, and on the last Wednesday in January and July. They may advertise these meetings in such manner as the Board shall determine.

The Censors of the other Medical Districts shall hold their meetings at the same place and on the same day as the District Societies themselves ; and shall not advertise, unless the District Societies direct it to be done at their own expense. (See ART. II., XXVI.)

XXXI. Three Censors shall constitute a quorum, and the senior Censor shall preside. Whenever a quorum is not present, and a candidate offers himself for examination, the presiding officer of the District Society may appoint substitutes for absent Censors, to form a quorum, for the time being.

Unless a quorum be present, no vote shall be taken, except on the question of adjournment. (See ART. II.)

XXXII. Each Board of Censors shall appoint, at their first meeting, a Secretary from their own body. The duty of every Secretary so appointed shall be to keep a faithful record of the meetings and transactions of the Board, and to give immediate notice to



the Recording Secretary of the Society of the organization of such Board. He shall also keep a book, with the form of subscription, for the signature of those admitted by the Board ; and, at the termination of the year for which he has been appointed, he shall transmit to the Recording Secretary a true copy of the records he may have made, in order that the same may be laid before the Councillors.

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#### TRIALS FOR OFFENCES.

XXXIII. 1. When charges of infraction of the By-laws shall be duly made against any Fellow of the Society (VIII., IX., and X.), the President shall thereupon select five of the Commissioners on Trials (XXVI.), who shall constitute a Board of Trial for the pending case. He shall appoint a time and place for the meeting of said Board, and shall notify the Commissioners appointed, also the Complainants and the Accused Party, of said time and place.

2. The said Board of Trial shall be empowered and required to meet as above provided, and three members shall constitute a quorum. They shall proceed to organize themselves, and to hear and try the charges aforesaid ; and, if convinced that the charges have been substantiated by the Complainants, they shall convict the Accused, or, if otherwise, they shall acquit him ; and, in case of conviction, shall pass

sentence, such as the laws of the Society authorize, which sentence shall take effect from the date of its passage.

3. If, after due notification, the Accused Party shall fail to appear at the time and place of trial, without satisfactory excuse rendered at the time, he shall be considered as admitting the truth of the charges against him, and shall be liable to sentence accordingly.

4. Upon showing to the Councillors such cause as shall by them be deemed reasonable therefor, the Accused shall be entitled to a revision of his trial by the Councillors, who may, according to their judgment, confirm or reverse the previous decision ; and this shall be final.

5. Legal council shall be inadmissible ; but members of the Society may be heard as advocates on either side during the trial.

6. The Recording Secretary of the Society shall be Secretary of the Boards of Trial, and shall attend all trials, and keep a record of the doings of the Commissioners at said trials. He shall enter the several charges preferred, and the result of trial in each case, on the Records of the Society, and shall communicate the same to the President of each of the District Societies at the close of the trial.

7. Each Commissioner, and also the Secretary, shall be entitled to receive from the Treasury three dollars per day for the time necessarily spent in travel and in attendance on Trials, with the necessary expenses of travel, — as may be decided by the Board ; and each

Commissioner who shall neglect or refuse to attend the Trial for which he has been designated, without offering an excuse which shall be satisfactory to those who do attend the same, shall pay a fine of ten dollars to the Treasurer of the Society.

8. The President of the Society shall fill all vacancies by death or resignation, or by other causes, whether of the Commissioners of the District Societies or in the Boards of Trial.

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#### ALTERATION OF BY-LAWS.

XXXIV. All proposals for alteration of the By-laws shall be stated in writing.

No alteration of a By-law shall take effect until it has received the concurrent vote of the Councillors and the Society; and no amendment affecting the import of said alteration shall be ingrafted on it without a like concurrent vote.

The Society shall consider and act on By-laws only at adjournments of anniversary meetings.

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#### FORM OF SUBSCRIPTION.

*The Subscribers agree to comply with the By-laws of the Massachusetts Medical Society.*



# RULES AND ORDERS

OF

## THE SOCIETY.

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At the annual meeting of the Fellows, the following order shall be observed in the transaction of business: —

1. The proceedings of the last annual meeting shall be read by the Recording Secretary, who shall also lay before the Society the records of the transactions of the Councillors for the year preceding, and shall report the names of those who have become Fellows or Honorary Members of the Society during that time.

2. Reports of Committees.\*

3. Attention shall be given to any scientific com-

\* The first question on a Report is on *receiving* it. When a Report is received, whether by general consent or upon a motion and vote, the Committee is discharged. The Report thus lies on the table until it suits the convenience of the assembly to take it up for consideration, when it may be treated and disposed of precisely as any other proposition, — may be altered or amended in statement, reasoning, opinion, resolutions, or other matters contained in it. The final question is on *acceptance*; and, when accepted, the whole Report is adopted by the assembly, and becomes the statement, reasoning, opinion, resolution, or other act, as the case may be, of the assembly. (See Cushing's Manual.)

munications which the Councillors, or any Fellow of the Society, may present.

4. Any propositions or suggestions, which may be thought conducive to the welfare of the Society, or to the general interests of medical science, may be brought forward by any Fellow. Upon such propositions or suggestions, the Society shall decide by vote whether to engage in the consideration of the same.

5. When any Fellow shall speak in a debate, he shall rise and address the presiding officer.

6. If a Fellow has spoken once in a debate, he shall not speak to the prevention of another, who has not spoken, and manifests a desire to speak.

7. A Fellow shall not interrupt another while speaking, unless to call him to order, or to correct a mistake.

8. A Fellow shall not speak on a subject after the question is put.

9. A motion shall not be considered unless seconded.

10. A Fellow shall not nominate more than one person for the same Committee, provided the first person nominated by him be chosen.

11. A vote shall not be reconsidered, at the same meeting, by a smaller number than was present at its passing.

12. At one o'clock, p.m., the President shall call upon the person appointed to deliver the Annual Discourse; and other business shall be suspended until the discourse shall have been delivered.

13. On the day of the annual meeting, a dinner shall be provided, at the expense of the Society, under

the direction of the Anniversary Chairman and the Committee appointed for that purpose.

14. An invitation to the dinner may be given to such professional strangers as the President of the Society, or Anniversary Chairman, shall think proper to notice in this manner.

15. Literary gentleman interested in medical science, and students in medicine, shall be publicly invited to hear the Annual Discourse.



# RULES AND ORDERS

OF

## THE COUNCILLORS.

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1. A publication shall be issued annually, under the direction of the Committee on Publications and the Secretaries of the Society, as early as may be after the annual meeting. Such publication shall contain the Annual Discourse, unless otherwise directed by the Society or the Councillors, and such other medical communications as the Society or the Councillors may authorize to be so published; and, in an Appendix, an abstract of the Proceedings of the Society and of the Councillors, comprising the names of all Councillors present at each meeting of the Board; the record of their transactions, excepting such as are of a private or personal nature; a list of the officers of the Society, and of each District Society; and a list of those who have become Fellows or Honorary Members, and of those who have resigned Fellowship during the preceding year.

2. There may also be annually prepared, under the direction of the Councillors and at the expense of

the Society, a Retrospect of the Medical Literature and Science of the preceding year, having reference especially to discoveries and improvements of practical value.

3. All printed publications shall be in octavo.

4. All publications of the Society shall be distributed by the Librarian, by mail, or by express, or through the medium of the District Societies, unless otherwise specially requested, to Fellows who have paid their dues for the corresponding year, to retired Fellows, and to such Honorary Members as may apply for them.

5. The Recording Secretary shall issue, and send by mail to every Fellow, one month before each annual meeting, a circular, which shall contain —

A notification of the time and place of the annual meeting of the Fellows ; —

A similar notification of the stated meetings of the Councillors for the whole year, and of the stated meetings of the Board of Censors for the Suffolk District ; —

All necessary information concerning the payment of assessments, admission to the annual dinner, obtaining the Society's publications at the annual meeting, and also pointing out some mode in which Fellows who do not attend the meeting may obtain them ; —

The conditions of admission to the Society, and all necessary information concerning the steps to be taken by those desirous of it.

6. At meetings of the Councillors, all nominations

of Committees shall be made by the President, unless otherwise ordered.

7. At the annual meeting of the Councillors, four Standing Committees shall be appointed; viz., a Committee on Publications, a Committee on Resignations, a Committee of Arrangements for the Anniversary, and a Standing Committee, whose duty it shall be to aid and advise the Treasurer in the management of the funds of the Society, especially in relation to the collection and remission of assessments; and, with said Committee, the Treasurer shall have full power to make remissions to delinquent Fellows in all cases where they find sufficient cause. (XIII.)

8. At the third stated meeting of the Councillors, there shall be chosen a Committee to examine the Treasurer's accounts, on the week preceding the annual meeting, and a Committee to examine the library and cabinet; both of which Committees shall make their reports to the Councillors at their annual meeting. (XIII.)

9. The Treasurer shall return to each District Society one-fourth part\* of every annual assessment paid by its members. (XXII.)

\* By recent Acts of the Councillors and the Society, the proportion of assessments to be returned has been thus diminished, in order to defray the expense of distributing the Society's publications. (4.)



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